

UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA

IN RE: NATIONAL FOOTBALL
LEAGUE PLAYERS' CONCUSSION
INJURY LITIGATION

No. 2:12-md-02323-AB

MDL No. 2323

Kevin Turner and Shawn Wooden,
*on behalf of themselves and
others similarly situated,*

Plaintiffs,

v.

National Football League and
NFL Properties, LLC,
successor-in-interest to
NFL Properties, Inc.,

Defendants.

Civ. Action No.: 14-cv-00029-AB

THIS DOCUMENT RELATES TO:
ALL ACTIONS

STIPULATION AND [PROPOSED] ORDER¹

This Stipulation and Agreement, dated December [7], 2016, is made and entered into by and among the National Football League and NFL Properties LLC (the "NFL Parties"), and Class Counsel (collectively, the "Parties").

WHEREAS, on April 22, 2015, this Court issued a Memorandum (ECF No. 6509) and Final Order and Judgment (ECF No. 6510), and on May 8, 2015, an amended Final Order and Judgment (ECF No. 6534), approving the Settlement Agreement in its entirety;

¹ Unless otherwise noted, the terms used in this Order that are defined in the Settlement Agreement have the same meanings in this Order as in the Settlement Agreement.

WHEREAS, on May 4, 2015, Claims Administrator BrownGreer PLC, in accordance with the Final Order and Judgment and the Settlement Agreement, filed the list of Opt Outs who timely submitted proper requests to opt out in compliance with Section 14.2(a) of the Settlement Agreement, including Retired NFL Football Player Roy Lee Jefferson, Jr. (ECF No. 6533);

WHEREAS, Roy Lee Jefferson, Jr. has since submitted a written request seeking to revoke his Opt Out request (*see* Exhibit 1 (Declaration of Orran L. Brown, Sr.));

WHEREAS, the Parties have agreed to accept the revocation request submitted by Roy Lee Jefferson, Jr., subject to Court approval, because he submitted the request before Opt Out litigation has commenced in this Court;

AND NOW, this [7] day of December, 2016, it is hereby stipulated and agreed by the Parties that the revocation request submitted by Roy Lee Jefferson, Jr. is accepted, subject to Court approval, because he submitted the request before Opt Out litigation has commenced in this Court.

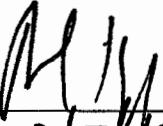
It is so STIPULATED AND AGREED,

By: 

Date: 12/7/16

Christopher Seeger
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Class Counsel

By: 

Date: 12/7/16

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Counsel for the NFL Parties

It is so **ORDERED**, based on the above Stipulation and the accompanying Declaration of Orran L. Brown, Sr., that the revocation request submitted by Roy Lee Jefferson, Jr. is approved and the Claims Administrator is **DIRECTED** to post a revised list of Opt Outs forthwith excluding Roy Lee Jefferson, Jr.


ANITA B. BRODY, J.

12/20/16

Copies **VIA ECF** on _____ to:

Copies **MAILED** on _____ to:

Exhibit 1

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

IN RE: NATIONAL FOOTBALL LEAGUE	:	No. 2:12-md-02323-AB
PLAYERS' CONCUSSION INJURY	:	
LITIGATION	:	MDL No. 2323
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THIS DOCUMENT RELATES TO:	:	Hon. Anita B. Brody
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ALL ACTIONS	:	
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DECLARATION OF ORRAN L. BROWN, SR.

I, ORRAN L. BROWN, SR., hereby declare and state as follows:

1. My name is Orran L. Brown, Sr. I am the Chairman and a founding partner of BrownGreer PLC (“BrownGreer”), located at 250 Rocketts Way, Richmond, Virginia 23231. BrownGreer is the Claims Administrator under the Class Action Settlement Agreement in this action.

2. I am over the age of 21. The matters set forth in this Declaration are based upon my personal knowledge and information.

3. I submit this Declaration to describe an Opt Out revocation request that we received recently.

4. In its April 22, 2015 Final Approval Order and Judgment, the Court directed the Claims Administrator to post a list of Opt Outs as of that date. Accordingly, we posted on the official Settlement website a list of the Opt Outs that were timely and included all the elements required for a valid Opt Out under Section 14.2(a) of the Settlement Agreement (175 names at the time) and a list of the Opt Outs that were untimely and/or were missing one or more of Section 14.2(a)’s required elements (33 names at the time).

5. Section 14.2(c) of the Settlement Agreement provides that a Class Member who had opted out but wished to revoke that Opt Out could submit a written request to do so

“[p]rior to the Final Approval Date.” At various times after the April 22, 2015 Final Approval Date, 13 persons who had opted out submitted requests to revoke their Opt Outs. The Parties to the Settlement Agreement agreed to accept those revocation requests, subject to Court approval, and reported the revocation requests to the Court. By Orders of July 15, 2015 (Document 6642), December 22, 2015 (Document 6713), January 26, 2016 (Document 6739), September 15, 2016 (Document 6907), October 25, 2016 (Document 6924), and November 8, 2016 (Document 6937), the Court approved all the revocations. As a result, we no longer counted those persons as Opt Outs and posted on the Settlement website a revised list of the Timely Opt Out Requests Containing All Information Required by Section 14.2(a) or Otherwise Approved by the Court (the “Timely Opt Out List”), to reflect the results in the Orders. That Timely Opt Out List now contains 167 names, including the five persons whose Opt Outs the Court directed be added to that list in its Order of September 8, 2016 (Document 6902).

6. On December 7, 2016, we received a letter from Mr. Roy Lee Jefferson, Jr., asking to revoke his Opt Out. Mr. Jefferson is on the Timely Opt Out List. I have attached to this Declaration a copy of his letter, after redacting his personal identifying information. The Parties to the Settlement Agreement have agreed to accept his revocation request, subject to Court approval. If the Court grants its approval, we no longer will count Mr. Jefferson as an Opt Out and, upon direction of the Court, will post on the Settlement website a revised Timely Opt Out List.

I, Orran L. Brown, Sr., declare under penalty of perjury pursuant to 28 U.S.C. § 1746 that the foregoing is true and correct. Executed on this 7th day of December, 2016.



Orran L. Brown, Sr.

December 2, 2016

Roy Jefferson

Arnold Levin-NFL Concussion Settlement

Phone 877-882-1011

Dear Arnold Levin:

Please be advised I Roy Jefferson, want to revoke my request to be excluded from the NFL Concussion Settlement Class Action suit NO. 2:12-md-02323;. I want to be included in the NFL Concussion settlement. This request is for consideration. Thank you.

Roy Lee Jefferson Jr

D.O.B.

Phone:

Previous address:



Roy Lee Jefferson Jr December 2, 2016

CERTIFICATE OF SERVICE

It is hereby certified that a true copy of the foregoing document was served electronically via the Court's electronic filing system on the 7th day of December, 2016, upon all counsel of record.

Dated: December 7, 2016

/s/ Brad S. Karp

Brad S. Karp